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09/625,398

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Eric C. Anderson

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EXAMINER

CHOJNACKI, MELLISSA M

ART UNIT

PAPER NUMBER

2164

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/625,398

Applicant(s)

ANDERSON ET AL.

Examiner

Melissa M. Chojnacki

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on October 19, 2007, claims 1, 10, 23 and 34-35 have been amended, no new claims have been added and no new claims have been cancelled. Therefore claims 1-10, and 12-40 are still presently pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, and 12-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (WO 99/48276 [As disclosed on the IDS filed 5/26/2006]).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As to claim 1, Anderson et al. teaches a method for providing access to respective entity-specific photo-sharing websites for a plurality of entities, each entity controlling a set of entity-specific network-enabled image capture devices (See Abstract; page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15), the method comprising:

providing an online photo-sharing service configured to provide access to the respective entity-specific photo-sharing websites for each of the entities, wherein one or more of the entity-specific photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities (See page 29, lines 12-27; page 30, lines 1-11; page 33, lines 6-21); and

providing software for the entity-specific network-enabled image capture devices, including a TCP-IP protocol stack that enables wireless communication between the entity-specific network-enabled image capture devices and the online photo-sharing service via a-a a wireless Internet connection (See page 26, lines 16-27; page 27, lines 1-16), that causes the entity-specific network-enabled image capture devices to wirelessly transmit entity ID information when the entity-specific network-enabled image capture devices wirelessly transmit images to the photo-sharing service over the Internet connection (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15), wherein when the entity-specific network-enabled image capture devices wirelessly connect to the photo-sharing service via the wireless Internet connection, the photo-sharing service uses the entity ID received from the entity-specific network-enabled image capture devices to automatically associate the images received from the entity-

specific network-enabled image capture devices with the photo-sharing website of the identified entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claims 2 and 12, Anderson et al., teaches further including the step of storing the entity ID in the entity-specific network-enabled image capture devices during manufacturing (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15); wherein the entity ID is stored in the digital camera during manufacturing (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15).

As to claims 3 and 13, Anderson et al. teaches further including the step of storing the entity ID in the entity-specific network-enabled image capture devices subsequent to manufacturing (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15); wherein the entity ID is stored in the digital camera subsequent to manufacturing (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15).

As to claim 4, Anderson et al., teaches further including providing a plurality of entity IDs, wherein each entity ID identifies a different entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15).

As to claim 5, Anderson et al. teaches further including providing an entity ID identifying a camera manufacturer and an entity ID identifying a user (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15).

As to claim 6, Anderson et al. teaches further including storing an entity account in a database corresponding to different entity IDs (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15).

As to claims 7, 19 and 27, Anderson et al. teaches further including the step of associating with each of the entity accounts, web pages comprising the corresponding entity-specific photo-sharing website, and user account numbers of authorized users (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 29, lines 12-18); wherein the server matches each one of the entity ID's received with one of the entity accounts (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 29, lines 12-18); further including the step of creating an entity account in the database for every entity ID; and associating each of the entity-specific websites with the corresponding entity account (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 29, lines 12-18).

As to claims 8 and 18, Anderson et al. teaches further including the step of matching the entity ID information received from each image capture device with the corresponding entity account in the database (See page 20, lines 23-27; page 21, lines

1-4); wherein the database stores entity account information for each one the entities (See page 20, lines 23-27; page 21, lines 1-4).

As to claim 9, Anderson et al. teaches further including the step of automatically associating the received images with the entity-specific photo-sharing website of the identified entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15).

As to claim 10, Anderson et al. teaches an online photo-sharing system (See abstract), comprising:

an online photo-sharing service for providing access to respective photo-sharing websites for a plurality of entities, wherein each of the entities controls a set of network-enabled digital cameras and one or more of the photo-sharing websites is customized f4~ in appearance to a corresponding one or more of the plurality of entities (See page 29, lines 12-27; page 30, lines 1-11; page 33, lines 6-21); and

digital camera software that is customized each of the entities, including a TCP-IP protocol stack that enables wireless communication between the digital cameras and the online photo-sharing service via wireless Internet connection, wherein when the software customized an entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection to the photo-sharing service (See page 26, lines 16-27; page 27, lines 1-16), the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the entity to the photo-sharing service over the wireless Internet

connection (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15), allowing the photo-sharing service to use the entity ID information received from the network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website for the entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claims 14 and 24, Anderson et al. teaches wherein at least one set of network-enabled digital cameras is controlled by a hierarchal relationship of entities (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15); further including the step of customizing at least one of the cameras for a hierarchal relationship of entities (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15).

As to Claims 15 and 25, Anderson et al. teaches wherein the network-enabled digital camera transmits the entity ID of each of the entities in the hierarchal relationship (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15); further including the steps of providing the entity ID as a set of hierarchal entity IDs (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15).

As to claim 16, Anderson et al. teaches wherein the entities include at least one of a camera manufacturer, a business, a government agency, and end-users (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15).

As to claim 17, Anderson et al. teaches wherein the online photo-sharing service includes a server and a database for providing access to the respective websites (See page 20, lines 23-25; page 33, lines 6-15).

As to claim 20, Anderson et al. teaches wherein the online photo-sharing service derives revenue from the entities (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15, lines 16-27; page 27, lines 1-16; page 33, lines 6-15).

As to claim 21, Anderson et al. teaches wherein the online photo-sharing service shares revenue with multiple entities that are in a hierarchal relationship (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15, lines 16-27; page 27, lines 1-16; page 33, lines 6-15).

As to claim 22, Anderson et al. teaches wherein the respective websites are customized for each of the entities, wherein when users visit the respective websites over the network, it appears to the user that the respective websites are hosted by the corresponding entities (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15, lines 16-27; page 27, lines 1-16; page 33, lines 6-15).

As to claim 23, Anderson et al. teaches a method for automatically sending images from entity-specific cameras to entity-specific websites (See abstract), comprising:

customizing a plurality of entity-specific cameras for different entities by loading at least one entity ID into the camera; providing an online photo-sharing service for accessing a plurality of photo-sharing websites (See page 29, lines 12-27; page 30, lines 1-11; page 33, lines 6-21);

providing the plurality of entity-specific cameras with a TCP-IP protocol stack for allowing the entity-specific cameras to wirelessly communicate with the online photo-sharing service over a-a a wireless Internet connection (See page 26, lines 16-27; page 27, lines 1-16);

customizing in appearance each of the photo-sharing websites for a respective entity to create entity-specific websites, each of the entity-specific websites being identified by a respective entity ID (See page 26, lines 16-27; page 27, lines 1-16);

wirelessly transmitting the respective entity ID for a particular entity-specific website from the camera to the photo-sharing service when uploading images from the camera to the photo-sharing service via the wireless Internet connection (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15); and

receiving the images and the entity ID from the camera and associating the images with the particular entity-specific website identified by the entity ID (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 26, Anderson et al. teaches further including storing the entity-specific websites on a database accessed by a server (See page 20, lines 23-25).

As to claim 28, Anderson et al. teaches further including the step of associating URL's of the entity specific websites with the corresponding entity accounts in the database (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 29, Anderson et al. teaches further including the steps of matching a received entity ID with one of the entity accounts in order to associate the received images with the entity specific website (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 30, Anderson et al. teaches further including the step of transmitting a user entity ID with the entity ID, and creating a user account in the database corresponding to the user ID (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16), wherein the received images are associated with the users account in the corresponding entity-specific website (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claims 31-33, Anderson et al. teaches wherein providing software for the entity-specific network-enabled image capture devices further includes :providing a default internet service provider connection information (See page 20, lines 23-27, page

21, lines 1-4; page 26, lines 6-15); wherein the network-enabled digital camera further includes: default internet service provider connection information (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15); providing the plurality of entity-specific cameras with default internet service provider connection information (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15).

As to claim 34, Anderson et al. teaches an online photo-sharing system (See Abstract), comprising:

an online photo-sharing service for hosting respective websites for a plurality of entities, wherein each of the entities controls a set of network-enabled digital cameras and one or more of the websites is customized in appearance to a corresponding one or more of the plurality of entities, the set of network-enabled digital cameras including digital camera software that is customized to each of the entities (See page 29, lines 12-27; page 30, lines 1-11; page 33, lines 6-21), including a TCP-IP protocol stack that enables wireless communication between the network-enabled digital cameras and the online photo-sharing service via a wireless Internet connection, wherein when the software customized to a particular entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection (See page 26, lines 16-27; page 27, lines 1-16), the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the particular entity to the photo-sharing service over the Internet connection (See page 20, lines 23-27, page 21, lines 1-4; page 26, lines 6-15), allowing the photo-sharing service

to use the entity ID information received from the network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website hosted for that particular entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 35, Anderson et al. teaches an online photo-sharing system (See abstract), comprising:

a plurality of network-enabled digital cameras for accessing an online photo-sharing service for hosting respective websites for a plurality of entities, wherein each of the entities controls at least one of the network-enabled digital cameras and one or more of the websites is customized in appearance to a corresponding one or more of the plurality of entities (See page 29, lines 12-27; page 30, lines 1-11; page 33; lines 6-21), each of the plurality of network-enabled digital cameras including digital camera software that is customized each of the entities, including a TCP-IP protocol stack that enables wireless communication between the network-enabled digital cameras and the online photo-sharing service via an a wireless Internet connection, wherein when the software customized to a particular entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection (See page 26, lines 16-27; page 27, lines 1-16), the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the particular entity to the photo-sharing service over the wireless Internet connection, allowing the photo-sharing service to use the entity ID information received from the

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network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website hosted for that particular entity (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 36, Anderson et al. teaches wherein the online photo-sharing service is capable of hosting the entity specific photo-sharing websites for each of the entities (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 37-38 and 40, Anderson et al. teaches wherein the entity specific photo-sharing websites are hosted outside of the photo-sharing service (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16); wherein the online photo-sharing service is configured to access a server (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16) and a database outside of the photo-sharing service for hosting the respective websites (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16); wherein the database storing the entity specific websites is arranged outside the photo-sharing service (See page 20, lines 23-27; page 21, lines 1-4, page 22, lines 4-15; page 26, lines 16-27; page 27, lines 1-16).

As to claim 39, Anderson et al. teaches wherein the database storing the entity-specific websites is included within the photo-sharing service (See page 20, lines 23-25).

Response to Arguments

4. Applicant's arguments filed on October 19, 2007, with respect to the rejected claims in view of the cited references have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is (571) 272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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December 26, 2007
Mmc


SAM RIMELL
PRIMARY EXAMINER